

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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INNOVATION VENTURES, LLC; LIVING ESSENTIALS, LLC; and
INTERNATIONAL IP HOLDINGS, LLC,

Plaintiffs, -against-

ULTIMATE ONE DISTRIBUTING CORP.; GULAM NAJIMI,
a.k.a. GHULAMALI ALI NAJIMI; WALLY NAJIMI, a.k.a.
AHMED WALLY NAJIMI; EXCEL WHOLESALE
DISTRIBUTORS, INC.; FARID TURSONZADA, a.k.a.
FARID TURSON; CORE-MARK
INTERNATIONAL, INC.; RICHMOND WHOLESALE
COMPANY, INC.; SAQUIB KHAN; CVS CAREMARK CORP.;
7-ELEVENSTORE # 11152; 7-ELEVEN STORE # 25449C-
2422; 7-ELEVEN STORE # 11168F-2422; 7-ELEVEN STORE #
11181; 7-ELEVEN STORE # 32760; 7-ELEVEN STORE #
23407; PRESTIGE MOBIL; KAIVAL DELI & CATERING;
HEIGHTS DELI AND COMPANY; VALERO RETAIL
HOLDINGS, INC.; NEW ISLAND DELI; NEVINS GOURMET;
DELTA DISTRIBUTION SERVICES CORP.; SULAIMAN S.
AAMIR;
BROTHERS TRADING CO., INC. d/b/a
VICTORY WHOLESALE GROCERS; QUALITY KING
DISTRIBUTORS, INC.; BASELINE DISTRIBUTION, INC.;

12 Civ. 5354 KAM)

ANSWER TO
FIFTH
AMENDED
COMPLAINT

DAVID FLOOD; MIDWEST WHOLESALE DISTRIBUTORS;
JUSTINSHAYOTA; MOA TRADING, INC.; DAVID K. LEE;
CAPITAL SALES COMPANY; WALID JAMIL, a.k.a. WALLY
JAMIL; PRICE : MASTER CORP.; ABDUL SATAR NAJIMI;
FOOD DISTRIBUTORS INTERNATIONAL, INC.; SCOTT
TILBROOK; ELEGANT TRADING, INC.; ARMED BHIMANI;
EMPIRE TRADE : WHOLESALE CORP.; TOP CHOICE
TRADING USA, INC.; UNIVERSAL WHOLESALE, INC.;
JOSEPH SEVANY, SR. a.k.a. JOE ZAITOUNA; BAJA
EXPORTING, LLC; JOSEPH SHAYOTA; TRADEWAY
INTERNATIONAL, INC. d/b/a BAJA EXPORTING; PURITY
WHOLESALE GROCERS, INC.; SHAH DISTRIBUTORS,
INC. ARVIND SHAH; STEERFORTH TRADING, INC., a.k.a.
STEER FORTH TRADING, INC.; ISAAC ANZAROOT; JT
WHOLESALE, INC.; MCR INNOVATIONS AND
PACKAGING, INC.; MCR PRINTING AND PACKAGING
CORP.; RAID JAMIL, a.k.a. BRIAN JAMIL; MARIO
RAMIREZ; CAMILO RAMIREZ; TRIMEXICO INC.;
ADRIANA SHAYOTA; and JOHN DOES 1-10,

Defendants.

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Defendants, **SHAH DISTRIBUTORS, INC. and ARVIND SHAH**, by and through his attorney, **BRIAN J. DAVIS, ESQ.**, as and for an Answer to the Fifth Amended Complaint, respectfully allege and state as follows:

1. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "1" of the Complaint.
2. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "2" of the Complaint.
3. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "3" of the Complaint.
4. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "4" of the Complaint.
5. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "5" of the Complaint.
6. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "6" of the Complaint.
7. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "7" of the Complaint.
8. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "8" of the Complaint.
9. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "9" of the Complaint.
10. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "10" of the Complaint.
11. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "11" of the Complaint.
12. Deny having knowledge and information sufficient to form a belief as to the

allegations set forth in paragraph "12" of the Complaint.

13. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "13" of the Complaint.

14. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "14" of the Complaint.

15. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "15" of the Complaint.

16. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "16" of the Complaint.

17. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "17" of the Complaint.

18. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "18" of the Complaint.

19. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "19" of the Complaint.

20. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "20" of the Complaint.

21. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "21" of the Complaint.

22. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "22" of the Complaint.

23. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "23" of the Complaint.

24. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "24" of the Complaint.

25. Deny having knowledge and information sufficient to form a belief as to the

allegations set forth in paragraph "25" of the Complaint.

26. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "26" of the Complaint.

27. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "27" of the Complaint.

28. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "28" of the Complaint.

29. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "29" of the Complaint.

30. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "30" of the Complaint.

31. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "31" of the Complaint.

32. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "32" of the Complaint.

33. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "33" of the Complaint.

34. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "34" of the Complaint.

35. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "35" of the Complaint.

36. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "36" of the Complaint.

37. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "37" of the Complaint.

38. Deny having knowledge and information sufficient to form a belief as to the

allegations set forth in paragraph "38" of the Complaint.

39. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "39" of the Complaint.

40. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "40" of the Complaint.

41. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "41" of the Complaint.

42. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "42" of the Complaint.

43. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "43" of the Complaint.

44. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "44" of the Complaint.

45. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "45" of the Complaint.

46. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "46" of the Complaint.

47. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "47" of the Complaint.

48. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "48" of the Complaint.

49. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "49" of the Complaint.

50. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "50" of the Complaint.

51. Deny having knowledge and information sufficient to form a belief as to the

allegations set forth in paragraph "51" of the Complaint.

52. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "52" of the Complaint.

53. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "53" of the Complaint.

54. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "54" of the Complaint.

55. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "55" of the Complaint.

56. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "56" of the Complaint.

57. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "57" of the Complaint.

58. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "58" of the Complaint.

59. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "59" of the Complaint.

60. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "60" of the Complaint.

61. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "61" of the Complaint.

62. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "62" of the Complaint.

63. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "63" of the Complaint.

64. Admit the allegations set forth in paragraph "64" of the Complaint.

65. Admit the allegations set forth in paragraph “65” except deny the allegations of “moving, active and conscious force.”

66. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “66” of the Complaint.

67. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “67” of the Complaint.

68. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “68” of the Complaint.

69. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “69” of the Complaint.

70. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “70” of the Complaint.

71. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “71” of the Complaint.

72. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “72” of the Complaint.

73. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “73” of the Complaint.

74. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “74” of the Complaint.

75. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “75” of the Complaint.

76. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “76” of the Complaint.

77. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “77” of the Complaint.

78. Deny the allegations set forth in paragraph "78" of the Complaint.
79. Deny the allegations set forth in paragraph "79" of the Complaint.
80. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "80" of the Complaint.
81. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "81" of the Complaint.
82. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "82" of the Complaint.
83. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "83" of the Complaint.
84. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "84 a-f" of the Complaint.
85. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "85" of the Complaint.
86. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "86" of the Complaint.
87. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "87" of the Complaint.
88. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "88" of the Complaint.
89. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "89" of the Complaint.
90. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "90" of the Complaint.
91. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "91" of the Complaint.

92. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "92" of the Complaint.

93. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "93" of the Complaint.

94. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "94" of the Complaint.

95. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "95" of the Complaint.

96. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "96" of the Complaint.

97. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "97" of the Complaint.

98. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "98" of the Complaint.

99. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "99" of the Complaint.

100. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "100 and all sub-paragraphs" of the Complaint.

101. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "101" of the Complaint.

102. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "102" of the Complaint.

103. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "103" of the Complaint.

104. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "104" of the Complaint.

105. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "105" of the Complaint.

106. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "106" of the Complaint.

107. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "107" of the Complaint.

108. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "108" of the Complaint.

109. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "109" of the Complaint.

110. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "110" of the Complaint.

111. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "111" of the Complaint.

112. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "112" of the Complaint.

113. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "113" of the Complaint.

114. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "114" of the Complaint.

115. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "115" of the Complaint.

116. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "116" of the Complaint.

117. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "117" of the Complaint.

118. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "118" of the Complaint.

119. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "119" of the Complaint.

120. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "120" of the Complaint.

121. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "121" of the Complaint.

122. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "122" of the Complaint.

123. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "123" of the Complaint.

124. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "124" of the Complaint.

125. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "125" of the Complaint.

126. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "126" of the Complaint.

127. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "127" of the Complaint.

128. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "128" of the Complaint.

129. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "129" of the Complaint.

130. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "130" of the Complaint.

131. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "131" of the Complaint.

132. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "132" of the Complaint.

133. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "133" of the Complaint.

134. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "134" of the Complaint.

135. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "135" of the Complaint.

136. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "136" of the Complaint.

137. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "137" of the Complaint.

138. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "138" of the Complaint.

139. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "139" of the Complaint.

140. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "140" of the Complaint.

141. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "141" of the Complaint.

142. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "142" of the Complaint.

143. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "143" of the Complaint.

144. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "144" of the Complaint.

145. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "145" of the Complaint.

146. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "146" of the Complaint.

147. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "147" of the Complaint.

148. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "148" of the Complaint.

149. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "149" of the Complaint.

150. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "150" of the Complaint.

151. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "151" of the Complaint.

152. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "152" of the Complaint.

153. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "153" of the Complaint.

154. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "154" of the Complaint.

155. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "155" of the Complaint.

156. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "156" of the Complaint.

157. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “157” of the Complaint.

158. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “158” of the Complaint.

159. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “159” of the Complaint.

160. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “160” of the Complaint.

161. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “161” of the Complaint.

162. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “162” of the Complaint.

163. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “163” of the Complaint.

164. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “164” of the Complaint.

165. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “165” of the Complaint.

166. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “166” of the Complaint.

167. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “167” of the Complaint.

168. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “168” of the Complaint.

169. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph “169” of the Complaint.

170. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "170" of the Complaint.

171. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "171" of the Complaint.

172. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "172" of the Complaint.

173. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "173" of the Complaint.

174. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "174" of the Complaint.

175. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "175" of the Complaint.

176. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "176" of the Complaint.

177. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "177" of the Complaint.

178. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "178" of the Complaint.

179. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "179" of the Complaint.

180. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "180" of the Complaint.

181. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "181" of the Complaint.

182. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "182" of the Complaint.

183. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "183" of the Complaint.

184. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "184" of the Complaint.

185. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "185" of the Complaint.

186. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "186" of the Complaint.

187. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "187" of the Complaint.

188. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "188" of the Complaint.

189. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "189" of the Complaint.

190. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "190" of the Complaint.

191. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "191" of the Complaint.

192. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "192" of the Complaint.

193. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "193" of the Complaint.

194. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "194" of the Complaint.

195. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "195" of the Complaint.

196. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "196" of the Complaint.

197. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "197" of the Complaint.

198. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "198" of the Complaint.

199. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "199" of the Complaint.

200. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "200" of the Complaint.

201. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "201" of the Complaint.

202. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "202" of the Complaint.

203. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "203" of the Complaint.

204. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "204" of the Complaint.

205. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "205" of the Complaint.

206. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "206" of the Complaint.

207. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "207" of the Complaint.

208. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "208" of the Complaint.

209. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "209" of the Complaint.

210. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "210" of the Complaint.

211. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "211" of the Complaint.

212. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "212" of the Complaint.

213. Deny the allegations set forth in paragraph "213" of the Complaint.

214. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "214" of the Complaint.

215. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "215" of the Complaint.

216. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "216" of the Complaint.

217. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "217" of the Complaint.

AS AND FOR AN ANSWER TO THE FIRST CAUSE OF ACTION

218. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "217" as if more fully set forth at length herein.

219. Deny the allegations set forth in paragraph "219" of the Complaint.

220. Deny the allegations set forth in paragraph "220" of the Complaint.

221. Deny the allegations set forth in paragraph "221" of the Complaint.

222. Deny the allegations set forth in paragraph "222" of the Complaint.

223. Deny the allegations set forth in paragraph "223" of the Complaint.

AS AND FOR AN ANSWER TO THE SECOND CAUSE OF ACTION

224. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "223" as if more fully set forth at length herein.

225. Deny the allegations set forth in paragraph "225" of the Complaint.

226. Deny the allegations set forth in paragraph "226" of the Complaint.

227. Deny the allegations set forth in paragraph "227" of the Complaint.

228. Deny the allegations set forth in paragraph "228" of the Complaint.

229. Deny the allegations set forth in paragraph "229" of the Complaint.

AS AND FOR AN ANSWER TO THE THIRD CAUSE OF ACTION

230. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "229" as if more fully set forth at length herein.

231. Deny the allegations set forth in paragraph "231" of the Complaint.

232. Deny the allegations set forth in paragraph "232" of the Complaint.

233. Deny the allegations set forth in paragraph "233" of the Complaint.

234. Deny the allegations set forth in paragraph "234" of the Complaint.

235. Deny the allegations set forth in paragraph "235" of the Complaint.

235. Deny the allegations set forth in paragraph "236" of the Complaint.

237. Deny the allegations set forth in paragraph "237" of the Complaint.

AS AND FOR AN ANSWER TO THE FOURTH CAUSE OF ACTION

238. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "237" as if more fully set forth at length herein.

239. Deny the allegations set forth in paragraph "239" of the Complaint.

240. Deny the allegations set forth in paragraph "240" of the Complaint.

241. Deny the allegations set forth in paragraph "241" of the Complaint.

242. Deny the allegations set forth in paragraph "242" of the Complaint.

243. Deny the allegations set forth in paragraph "243" of the Complaint.

AS AND FOR AN ANSWER TO THE FIFTH CAUSE OF ACTION

244. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "243" as if more fully set forth at length herein.

245. Deny the allegations set forth in paragraph "245" of the Complaint.

246. Deny the allegations set forth in paragraph "246" of the Complaint.

247. Deny the allegations set forth in paragraph "247" of the Complaint.

248. Deny the allegations set forth in paragraph "248" of the Complaint.

249. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "249" of the Complaint.

250. Deny the allegations set forth in paragraph "250" of the Complaint.

AS AND FOR AN ANSWER TO THE SIXTH CAUSE OF ACTION

251. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "250" as if more fully set forth at length herein.

252. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "252" of the Complaint.

253. Deny the allegations set forth in paragraph "253" of the Complaint.

254. Deny the allegations set forth in paragraph "254" of the Complaint.

255. Deny the allegations set forth in paragraph "255" of the Complaint.

256. Deny the allegations set forth in paragraph "256" of the Complaint.

257. Deny the allegations set forth in paragraph "257" of the Complaint.

258. Deny the allegations set forth in paragraph "258" of the Complaint.

AS AND FOR AN ANSWER TO THE SEVENTH CAUSE OF ACTION

259. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "258" as if more fully set forth at length herein.

260. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "260" of the Complaint.

261. Deny the allegations set forth in paragraph "261" of the Complaint.

262. Deny the allegations set forth in paragraph "262" of the Complaint.
263. Deny the allegations set forth in paragraph "263" of the Complaint.
264. Deny the allegations set forth in paragraph "264" of the Complaint.
265. Deny the allegations set forth in paragraph "265" of the Complaint.
266. Deny the allegations set forth in paragraph "266" of the Complaint.
267. Deny the allegations set forth in paragraph "267" of the Complaint.

AS AND FOR AN ANSWER TO THE EIGHTH CAUSE OF ACTION

268. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "267" as if more fully set forth at length herein.
269. Deny having knowledge and information sufficient to form a belief as to the allegations set forth in paragraph "269" of the Complaint.
270. Deny the allegations set forth in paragraph "270" of the Complaint.
271. Deny the allegations set forth in paragraph "271" of the Complaint.
272. Deny the allegations set forth in paragraph "272" of the Complaint.
273. Deny the allegations set forth in paragraph "273" of the Complaint.
274. Deny the allegations set forth in paragraph "274" of the Complaint.

AS AND FOR AN ANSWER TO THE NINTH CAUSE OF ACTION

275. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "274" as if more fully set forth at length herein.
276. Deny the allegations set forth in paragraph "276" of the Complaint.
277. Deny the allegations set forth in paragraph "277" of the Complaint.
278. Deny the allegations set forth in paragraph "278" of the Complaint.
279. Deny the allegations set forth in paragraph "279" of the Complaint.
280. Deny the allegations set forth in paragraph "280" of the Complaint.

AS AND FOR AN ANSWER TO THE TENTH CAUSE OF ACTION

281. Defendants repeat, reiterate and reallege each and every response set forth in

paragraphs "1" through "280" as if more fully set forth at length herein.

282. Deny the allegations set forth in paragraph "282" of the Complaint.
283. Deny the allegations set forth in paragraph "283" of the Complaint.
284. Deny the allegations set forth in paragraph "284" of the Complaint.
285. Deny the allegations set forth in paragraph "285" of the Complaint.

AS AND FOR AN ANSWER TO THE ELEVENTH CAUSE OF ACTION

286. Defendants repeat, reiterate and reallege each and every response set forth in paragraphs "1" through "285" as if more fully set forth at length herein.

287. Deny the allegations set forth in paragraph "287" of the Complaint.
288. Deny the allegations set forth in paragraph "288" of the Complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

289. Plaintiffs had no contractual relationship with Defendant, Arvind Shah.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

290. By suing Arvind Shah, Plaintiffs failed to sue the proper party.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

291. Plaintiffs failed to set forth claims upon which relief can be granted against Defendant, Arvind Shah.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

292. Plaintiffs had notice and a duty to warn possible purchases of their product.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

293. Plaintiffs were negligent in failing to discover the fraud perpetrated by third parties, which has caused damage to the Defendants

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

294. Arvind Shah never purchased any of the Plaintiff's products.

AS AND FOR A FIRST CROSS-CLAIM

**AGAINST DEFENDANT, TOP CHOICE TRADING, USA, INC., FOR
INDEMINIFICATION**

295. Defendant repeats, reiterates and realleges each and every response set forth in paragraphs "1" through "294" as if more fully set forth at length herein.

296. If Defendant, Shah Distributors Inc. or Arvind Shah, should be found to be liable to Plaintiff on any of the Causes of Action in the Complaint, then Defendants claim indemnification from Defendant, Top Choice Trading USA, Inc., for any such liability.

AS AND FOR A SECOND CROSS-CLAIM
AGAINST DEFENDANT, TOP CHOICE TRADING, USA, INC., FOR CONTRIBUTION

297. Defendant repeats, reiterates and realleges each and every response set forth in paragraphs "1" through "296" as if more fully set forth at length herein.

298. If Defendant, Shah Distributors Inc. or Arvind Shah, should be found to be liable to Plaintiff on any of the Causes of Action in the Complaint, then Defendants claim contribution from Defendant, Top Choice Trading USA, Inc., for any such liability.

WHEREFORE, Defendants, SHAH DISTRIBUTORS, INC. and ARVIND SHAH, demand that the Complaint be dismissed in its entirety; for judgment on the cross-claims; and for such other and further relief as this Court may deem just and proper.

Dated: Garden City, New York
December 4, 2012

Yours etc.,

BRIAN J. DAVIS, P.C.

By: Brian J. Davis
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